

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

William Isaac Smalls

Case Number: DNCW 196CR000075-001 &

4:97cr115

USM Number: 17882-034

Frank A. Abrams

Defendant's Attorney

THE DEFENDANT:

X admitted guilt to violation of condition(s) 1-7 of the term of supervision.
___ was found in violation of condition(s) count(s) _____ after denial of guilt.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violations(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	DRUG/ALCOHOL USE	9/14/2009
2	FAILURE TO SUBMIT MONTHLY SUPERVISION REPORTS	10/05/2009
3	UNAUTHORIZED TRAVEL	4/24/2009
4	FAILURE TO REPORT CHANGE IN RESIDENCE	10/25/2009
5	FAILURE TO REPORT CONTACT WITH LAW ENFORCEMENT OFFICER	10/26/2009
6	DRUG/ALCOHOL USE	10/29/2009
7	NEW LAW VIOLATION: FELONY ROBBERY	10/23/2009

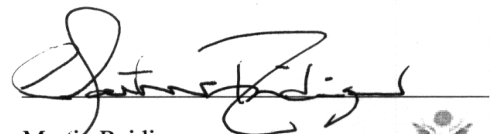
The Defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

___ The Defendant has not violated condition(s) _____ and is discharged as such to such violation(s) condition.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 9/22/2010

Signed: October 18, 2010



Martin Reidinger
United States District Judge



Defendant: William Isaac Smalls
Case Number: DNCW 196CR000075-001 and 4:97cr115

Judgment-Page 2 of 4

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months to run concurrently with the sentence imposed in case 1:10cr8.

X The Court makes the following recommendations to the Bureau of Prisons:

- Participate in any available substance abuse treatment program and receive benefit of 18:3621(e)(2).
- Participate in any available mental health treatment programs that may be available.
- Participate in any educational and vocational opportunities.
- Placed in a facility as close to Asheville as possible and be placed in a medical facility where he would be able to receive the medical care needed, namely knee replacements.

X The Defendant is remanded to the custody of the United States Marshal.

 The Defendant shall surrender to the United States Marshal for this District:

 As notified by the United States Marshal.

 At a.m. / p.m. on .

 The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

 As notified by the United States Marshal.

 Before 2 p.m. on .

 As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal

Defendant: William Isaac Smalls
Case Number: DNCW 196CR000075-001 and 4:97cr115

Judgment-Page 3 of 4**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
------------	------	-------------

In all other respects the terms of the original judgment, Docket Number 24 in this matter (and consolidated with 4:97cr115) remain in full force and effect, including the order for restitution in the amount of \$2,480.00 as set forth therein.

FINE

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

 X The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

 X The interest requirement is waived.

 The interest requirement is modified as follows:

COURT APPOINTED COUNSEL FEES

 X The defendant shall pay court appointed counsel fees.

 The defendant shall pay \$_____ Towards court appointed fees.

Defendant: William Isaac Smalls
Case Number: DNCW 196CR000075-001 and 4:97cr115

Judgment-Page 4 of 4**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ _____ Due immediately, balance due
- ☐ Not later than _____, or
- ☐ In accordance ☐ (C), ☐ (D) below; or
- B ☒ Payment to begin immediately (may be combined with ☐ (C), ☒ (D) below); or
- C ☐ Payment in equal _____ (E.g. weekly, monthly, quarterly) installments of \$ _____ To
 commence _____ (E.g. 30 or 60 days) after the date of this judgment; or
- D ☒ Payment in equal Monthly (E.g. weekly, monthly, quarterly) installments of \$ \$50 To
 commence 60 (E.g. 30 or 60 days) after release from imprisonment to a term of supervision.
 In the event the entire amount of criminal monetary penalties imposed is not paid prior to the
 commencement of supervision, the U.S. Probation Officer shall pursue collection of the amount
 due, and may request the court to establish or modify a payment schedule if appropriate 18
 U.S.C. § 3572.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court costs:
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the United States District Court Clerk, 309 U.S. Courthouse, 100 Otis Street, Asheville, NC, 28801, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program. All criminal monetary penalty payments are to be made as directed by the court.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.